
4.1 LAND USE

4.1	LAND USE
------------	-----------------

INTRODUCTION

The purpose of the Land Use section is to examine the proposed project’s compatibility with existing and planned land uses in the area. Consistency with applicable General Plan goals and policies is also evaluated. Documents referenced to prepare this section include the *City of Brentwood General Plan*¹, the *City of Brentwood General Plan Update Draft EIR*², and the *City of Brentwood Zoning Ordinance*³.

ENVIRONMENTAL SETTING

Section 15125 of the CEQA Guidelines states that “an EIR must include a description of the physical environmental conditions in the vicinity of the project [...] and shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans.” The following provides the existing land uses in the Downtown area, as well as the existing plans and policies that guide the development of the Downtown Specific Plan area.

Existing Land Use and Designations

The Downtown Specific Plan area is within the City of Brentwood and is designated by the General Plan as follows:

Downtown (DT) – A variety of uses are allowed in this designation, including commercial, office, multiple family and single-family residential, and government. The long-range objective is for the area to be primarily comprised of retail and office uses, but still allow for residential as a continued use. New development in the area will be encouraged to incorporate upper floor apartments and offices with ground-level retail commercial uses.

Schools (S): High School (HS), Middle School (MS), Elementary School (ES) – These designations allow public schools and related facilities. The General Plan indicates that elementary schools shall be located within neighborhoods away from major arterials whenever possible.

Public Facility (PF) – This designation provides for various public facilities that serve the community (i.e., City/school district offices, corporation and maintenance yards, and fire and police substations) and allows private schools, day care, senior housing, and religious institutions.

Park/Recreation (P) – This category includes existing and needed park and recreation facilities of varying size, function, and location to serve the entire

community. Standards for park sites are contained in the Growth Management element of the Planning and Development Chapter. Neighborhood Parks will be generally five to seven acres in size, although mini-parks of at least one acre in size will be allowed.

Surrounding Land Use Designations

The land surrounding the Downtown area has been designated by the City of Brentwood as Public Facility (PF), General Commercial (GC), and Residential at various densities (see Figure 3-3, Existing Land Use Designations, in Chapter 3 of this EIR). The PF and GC land use designations are defined above under Existing Land Use Designations. Both the PF and GC designations occur to the west of the project area.

Various residential land use designation surround the remainder of the Downtown area. These residential designations are defined below.

Low Density Residential (L): This residential category is designed predominantly for single-family detached houses, although occasionally higher density single-family patio houses or zero-lot line houses could be accommodated if offset with sufficient open space to maintain the gross density within the indicated range, or if specific criteria can be met. Development in this category will generally result in 6,000 to 8,000 square-foot lots. This designation allows for 1.1- 5.0 units per gross acre, with a mid-range of 3 units per acre.

Residential - Medium Density (M): Development in this category will be predominantly 2- and 4-plexes, small apartment buildings and townhouses, although small lot detached single-family development could be included. This designation allows for 5.1 - 11.0 units per gross acre, with a midrange of 8 units per gross acre.

Residential - High Density (H): This is a multi-family residential category predominantly for apartments and condominiums in structures of two or three stories with off-street parking and other requirements for higher density living. The level of amenities provided by multiple family projects, their locations, and their type will affect the actual density achieved. This designation allows for 11.1 - 20.0 units per gross acre, with a mid-range of 15.5 units per acre.

Existing Zoning Designations

Zoning for the project area consists of a variety of designations (see Figure 3-4, Existing Zoning Designations, in Chapter 3 of this EIR). The high school, middle school, and elementary school in the northern and southern areas of the project area are designated Public Facility; residential zoning is scattered throughout the project area; the strip of land lining the western boundary of the planning area is Planned Development; and the downtown core consists of Central Business zoning. The complete list of current zoning for the project area is as follows:

- Thoroughfare Commercial (C-3)
- Public Facility (PF)
- Open Space (OS)
- Industrial/Commercial (IC)
- Commercial Office/Residential (COR)
- Commercial Office/Business (COB)
- Central Business (CB)
- Planned Development (PD-37)
- Single-Family Residential (R-1-6)
- Moderate Density Multifamily Residential (R-2)
- High Density Multifamily Residential (R-3)

The northern portion of the project area is zoned Public Facility (PF) and Open Space (OS) according to the City of Brentwood Zoning Map. These zoning designations are defined as follows by the City of Brentwood's Municipal Code:

Public Facility (PF): The purpose of the PF zone is to provide areas for public facilities such as government offices, community centers, schools and parks.

Open Space (OS): The purpose of the OS zone is to provide for the control, protection and use of open space lands which form a part of the park and open space system of the City of Brentwood. This land use designation shall include all public parks, playgrounds, linear parks or greenways, golf courses and country clubs and similar uses of a predominantly open nature intended for public use.

The eastern portion of the project area is zoned Single Family Residential (R-1-6) and Moderate Density Multifamily Residential (R-2) according to the City of Brentwood Zoning Map. These zoning designations are defined as follows by the City of Brentwood's Municipal Code:

Single-Family Residential (R-1): The purpose of the R-1 zone is to provide areas for 3.5 dwelling units per gross acre and areas of different lot sizes through the use of the R-1-6, R-1-8, R-1-10 and R-1-12 subzones and the specific regulations for each subzone.

Moderate Density Multifamily Residential (R-2): The purpose of the R-2 zone is to encourage the development of more affordable and innovative housing primarily for duplexes, triplexes, townhouses and single-family attached or detached homes on smaller lots.

The southern portion of the project area is zoned Low Density Single Family Residential (R-1-6), High Density Multifamily Residential (R-3), Public Facility (PF), and Commercial Office Residential (COR) according to the City of Brentwood Zoning Map. Low Density Single Family Residential and Public Facility are defined above. The

remaining zoning designations in the southern area of the project area are defined as follows by the City of Brentwood's Municipal Code:

High Density Multifamily Residential (R-3): The purpose of the R-3 zone is to provide appropriate areas for apartments or condominiums in close proximity to the central business district.

Commercial Office Residential (COR): The COR zone is a mixed-use zone allowing administrative and professional offices in conjunction with residential uses. This mix of uses may be separate buildings on one site or separate areas in a building (such as ground floor professional/administrative offices with apartments above). The primary use of the site shall be devoted to office usage and residential densities may be within any of the residential density ranges of the General Plan Land Use element.

According to the City of Brentwood Zoning Map, the western portion of the project area is zoned Industrial Commercial (IC), Thoroughfare Commercial (C-3), Commercial Office Residential (COR), Central Business (CB), Planned Development Thirty-Seven (PD-37), and Commercial Office/Business (COB). Commercial Office Residential is defined above. The remaining zoning designations are defined as follows by the City of Brentwood's Municipal Code:

Thoroughfare Commercial (C-3): The C-3 zone is a commercial zone for retail and service businesses that are typically related to highways and major thoroughfares. Such uses generally do not lend themselves to be located in general commercial or neighborhood convenience centers, but are encouraged in orderly clusters in suitable locations adjacent to highways and major thoroughfares where special consideration will be given to on-site and off-site traffic and circulation, impact on adjacent land uses, etc.

Industrial/Commercial (IC): The IC zone is a mixed-use zone which allows a wide range of light industrial uses as the predominant use, and business services and office uses not involving frequent public use as the optional secondary use. These uses are permitted in already established industrial and service commercial areas or on undeveloped parcels close to the downtown. Such uses are subject to development and performance standards to prevent deleterious uses and ensure compatibility with the surrounding community.

Central Business (CB): The CB zone is intended to provide a pedestrian-oriented center for business, cultural, and recreational uses to serve the City and to promote, preserve, and protect the existing downtown business core of the City.

Planned Development Thirty-Seven (PD-37): The purpose of the planned development designations is to allow a mixture of uses, unusual building intensity or design characteristics, or variations in density, including density between the midrange and upper end of land use designated by the General Plan, which would

not normally be permitted in a single-use zone. The specific purpose of the PD-37 zone is to permit and regulate the orderly development of fifteen existing parcels located along both sides of Walnut Boulevard, west of the railroad tracks, in a manner that is more conducive to commercial development compatible with the City's growth. PD-37 consists of approximately 13.73 acres that are partially developed and are intended for the development of a mix of residential, office and commercial uses not normally permitted in a single-use zone. The planned development designation attempts to tie the area into the downtown, while preserving and protecting the existing residential areas adjacent to PD-37.

Commercial Office/Business (COB): The COB zone is a mixed-use zone permitting a limited amount of retail or personal service uses not normally allowed in professional/administrative office zones. This zone is intended to allow ground floor commercial with upper floor offices in the downtown or to allow small scale commercial to serve workers in major office complexes.

Surrounding Zoning Designations

The properties surrounding the project area generally consists of residential zoning north and west of the area, planned development zoning designations to the north and east; and commercial zoning to the south.

According to the City of Brentwood Zoning Map, properties immediately north of the project area are zoned Thoroughfare Commercial (C-3), Planned Development Eleven (PD-11), Planned Development Fifty (PD-50), and High Density Multifamily Residential (R-3). Zones C-3 and R-3 are defined under Existing Zoning Designations. The PD-11 and PD-50 zoning designations are defined as follows by the City of Brentwood's Municipal Code:

Planned Development Eleven (PD-11): The purpose of the PD-11 zone is to permit and regulate the orderly development of 5.18 acres located generally between Sycamore Avenue and Spruce Street, east of Brentwood Boulevard, with high-density residential uses in accordance with the Brentwood General Plan, for a maximum of 66 lots. The intent of creating the PD-11 zone is to ensure the coordinated development of the entire property in order to minimize impacts on adjacent areas, while providing for needed housing.

Planned Development Fifty (PD-50): The purpose of the PD-50 zone is to permit and regulate the development of the Casitas Del Sol project, as designated in the City Council's Planning and Zoning Ordinances as a high-density multifamily residential zone, permitting maximum flexibility in development in order to accommodate a single-family housing product affordable to City of Brentwood residents. It is intended that, in order to achieve the purpose of the PD-50 zone, the development of this property will be undertaken in accordance with the Brentwood General Plan as follows: a maximum of 9 homes will be developed on the property; a minimum of 3,000 square-foot lots will be created.

According to the City of Brentwood Zoning Map, Neighborhood Commercial (C-1) and Single Family Residential (R-1-6) zones are immediately south of the project area. Single Family Residential is defined under Existing Zoning Designations. Neighborhood Commercial is defined as follows by the City of Brentwood's Municipal Code:

Neighborhood Commercial (C-1): The C-1 zone is intended to provide neighborhood convenience centers which are typically a 5 to 10-acre shopping center with a supermarket as the prime tenant. The neighborhood convenience center generally is intended to serve the day-to-day needs of the surrounding neighbors within a one-mile radius.

The City of Brentwood Zoning Map indicates that Public Facility (PF), Planned Development Seventeen (PD-17), Planned Development Thirty (PD-30), Planned Development Thirty-One (PD-30), and Administrative/Professional Commercial Office (CO) zones are immediately east of the project area. The Public Facility designation is defined in the Existing Zoning Designations section above. The remainder of the zoning designations are defined as follows:

Planned Developments (PD-17, 30, and 31): The purpose of the PD-17 zone is to permit and regulate the orderly development of properties located within the Garin Ranch Specific Plan. The purpose of the PD-30 zone is to permit and regulate the orderly development of the area immediately east of the Downtown planning area in accordance with the Brentwood General Plan. The area is comprised of four subareas, one set aside for a senior apartment project and the other three set aside for single-family homes and related uses. This zoning district is intended to provide a neighborhood of single-family homes on smaller lots and senior housing in conformance with the Brentwood General Plan in order to enhance the viability of Downtown Brentwood. Although the Zoning Ordinance does not specifically indicate the purpose of the Planned Development 31 Zone, the Planned Development zones generally allow a mixture of uses, unusual building intensity or design characteristics, or variations in density including density between the midrange and upper end of land use designated by the General Plan, which would not normally be permitted in a single use zone.

Administrative/Professional Commercial Office (CO): The CO zone is predominantly an office zone for tenants with a professional, institutional, general commercial, or medical orientation. Limited non-office uses may be permitted by a conditional use permit if the use is clearly incidental to and supportive of the primary uses.

According to the City of Brentwood Zoning Map, immediately west of the project area are R-1-6, R-2, and R-3 zones. These designations are defined in the Existing Zoning Designation section above.

REGULATORY CONTEXT

Brentwood General Plan Goals, Policies and Programs

The following are applicable General Plan goals and policies related to land use and planning:

Land Use Element

Goal 1: Facilities and Services – A diverse, self-sufficient community that offers a broad spectrum of job opportunities, housing types, community facilities and commercial services.

Policy 1.1: City Development Control – Maintain responsible City control of development within the Planning Area.

Policy 1.2: Balanced Neighborhoods – Promote neighborhoods that provide a balanced mix of land uses and development types.

Policy 1.3: Community Design – Ensure that new development is designed to promote convenient, comfortable, and safe pedestrian services.

Goal 2: Quality Residential – A high quality residential environment that positively contributes to the special, small town atmosphere of Brentwood.

Policy 2.1: Compatible Neighborhoods – Promote compatibility between and within new and existing neighborhoods.

Policy 2.2: Residential Mix – Maintain Brentwood’s predominant land use of single-family residential, while providing for a mix of housing types and affordability levels throughout the community.

Goal 3: Economic Vitality – A diversified mix of strong retail centers, service commercial activities, manufacturing enterprises and high-paying employment opportunities that contribute to Brentwood’s economic well being.

Policy 3.1: Downtown Focus – Maintain the Downtown as the community’s dominant commercial, civic, and cultural center.

Policy 3.2: Regional Commercial (Retail) – Establish inviting and attractive regional commercial centers that are exceptionally well designed.

Policy 3.3: Existing Retail Centers: Strongly encourage rehabilitation and redevelopment of existing shopping centers at those locations where a dominant retail use is still likely to be viable. Encourage conversion to non-

retail uses at those locations with obsolete retail space, limited opportunity for future viable retail uses, or both.

Goal 4: Employment Opportunities – A variety of employment opportunities in Brentwood provided by adequate areas for industrial, commercial and office land use.

Policy 4.1: Minimize impacts – Minimize and mitigate industrial development impacts on adjacent land.

Policy 4.2: Small Scale Office/Industry – Allow for small-scale office and industrial uses within the Planning Area.

Policy 4.3: Office Campuses, Business Parks, Industrial Parks – Encourage the location of high quality, professional office campuses, business parks, and industrial parks along with related mixed-use development, where appropriate within the City.

IMPACTS AND MITIGATION MEASURES

Standards of Significance

For the purposes of this Draft EIR, impacts are considered significant if implementation of the proposed project would:

- Result in a substantial potential for conflict as a result of incompatible land uses; or
- Result in a land use which is inconsistent with existing City plans and policies.

Method of Analysis

The land use impact evaluation qualitatively compares the uses proposed for the project to the existing and other proposed uses in the vicinity of the project area in order to determine if proposed land uses are compatible with existing or proposed uses. The determination of compatibility is based on the anticipated environmental effects of proposed uses and the sensitivity of adjacent uses to those effects. The evaluation also assesses the consistency of the proposed project with the goals and policies of the Brentwood General Plan.

Project-Specific Impacts and Mitigation Measures

4.1-1 Compatibility with surrounding land uses.

The determination of compatibility of land uses typically relies on a general discussion of the types of adjacent uses to a proposed project and whether any sensitive receptors exist either on the adjacent properties or associated with the proposed project. Incompatibilities typically exist when uses such as residences, parks, churches, and schools are located adjacent to more disruptive uses, such as heavy industrial, major transportation corridors, and regional commercial centers, where noise and traffic levels may be high. The identification of incompatible uses occurs if one land use is anticipated to be disruptive of the existing or planned use of an adjacent property.

North: Development in accordance with the Downtown Specific Plan would not result in a change to existing land uses in the northern portion of the project area. Therefore, conflicts between land uses in the northern region of the planning area and adjacent uses are not anticipated.

East: Buildout of the Downtown Specific Plan would not affect adjacent land uses to the east as areas of opportunity for development have not been identified in the eastern portion of the project area (see Figure 4.1-1, “Opportunity Sites”). Existing land uses in the east would remain the same, and impacts to adjacent uses are therefore not anticipated.

South: As with buildout to the east, implementation of the Downtown Specific Plan would not affect adjacent land uses to the south because areas of opportunity for development have not been identified in the southern portion of the project area (see Figure 4.1-1 “Opportunity Sites”).

West: Low and medium density residential uses are adjacent to the western boundary of the Downtown Specific Plan project area. Within the far western portion of the project area that would be immediately adjacent to these uses, new residential infill development is proposed (see Figure 3-7, “Short-Term Envisioned Town Pattern Scenario”; Figure 3-8, “Long-Term Envisioned Town Pattern Scenario”; and Figure 3-9, “End State Envisioned Town Pattern Scenario” in this EIR). Although residential uses would conflict with existing zoning of Industrial/Commercial and Commercial Office/Business, the Downtown Specific Plan indicates that the purpose of including residential development along the western boundary of the project area is to support the downtown community and economy, as well as provide a more cohesive transition to the surrounding community. Because the proposed residential uses would be compatible with adjacent residential uses, the impacts associated with this development would not be considered adverse.

**Figure 4.1-1
Opportunity Sites**



Other uses proposed in the western portion of the project area, but not directly adjacent to the surrounding residential uses, include a new transit station beside the Union Pacific Railroad tracks, a new parking garage within the “downtown core” which would be adjacent to downtown commercial uses, contiguous ground floor retail along Oak Street and First Street, and new office infill development within the “downtown core.” These uses would be adjacent to existing compatible uses, and would not abut residential areas adjacent to the Downtown Specific Plan area.

Because proposed uses within the Downtown Specific Plan area are compatible with adjacent uses, a *less-than-significant* impact is expected.

Mitigation Measure(s)

None required.

4.1-2 Consistency with the General Plan.

General Plan Land Use Designations

The Downtown Specific Plan would include a General Plan Amendment to redesignate the entire Specific Plan area as Downtown (DT). Currently, the General Plan indicates that the majority of the project area is designated as Downtown; other designations are Public Facility, Existing School, and Park (see Figure 3-3 in Chapter 3, Existing Land Use Designations).

The proposed project would include mixed residential, commercial, and office uses within the Downtown designation. Because the Downtown designation allows a variety of uses, including commercial, office, multiple-family and single-family residential, and government, the proposed uses would thus be compatible with this designation. In addition, although the current Public Facility designation would be amended to Downtown with approval of the Downtown Specific Plan, compatible land uses of civic buildings and cultural infill development are proposed to surround the Park within the existing Public Facility designation. The Public Facility designation provides for various public facilities that serve the community; therefore, the proposed uses, even with the Downtown designation, would be compatible with the current General Plan.

The Downtown Specific Plan also proposes a new entertainment anchor to be located on Second Street between Oak Street and Maple Street, as well as a new retail anchor, both within the Downtown designation. These proposed uses would be compatible with the existing Downtown land use designation. The existing schools within the School designation have not been proposed for change. Therefore, a General Plan Amendment to Downtown within the School designation would not pose a substantial adverse land use effect. Furthermore, the Specific Plan indicates that the existing schools within the Downtown area

contribute to the neighborhood and civic uses that comprise the desirable small-town character of Downtown Brentwood.

The Downtown Specific Plan includes Specific Plan land use designations (or “District Zones”) for the project area as well as design standards for each “District Zone” that are consistent with the project’s proposed uses as specified above. The Zones include Downtown Core, Civic Core, Downtown General, Downtown Boulevard, Western Gateway Neighborhood, and Residential Neighborhood. As shown in Figure 4.1-2, Downtown District Zones, the uses proposed under the Specific Plan land use designations would be consistent with the proposed General Plan land use designation of Downtown.

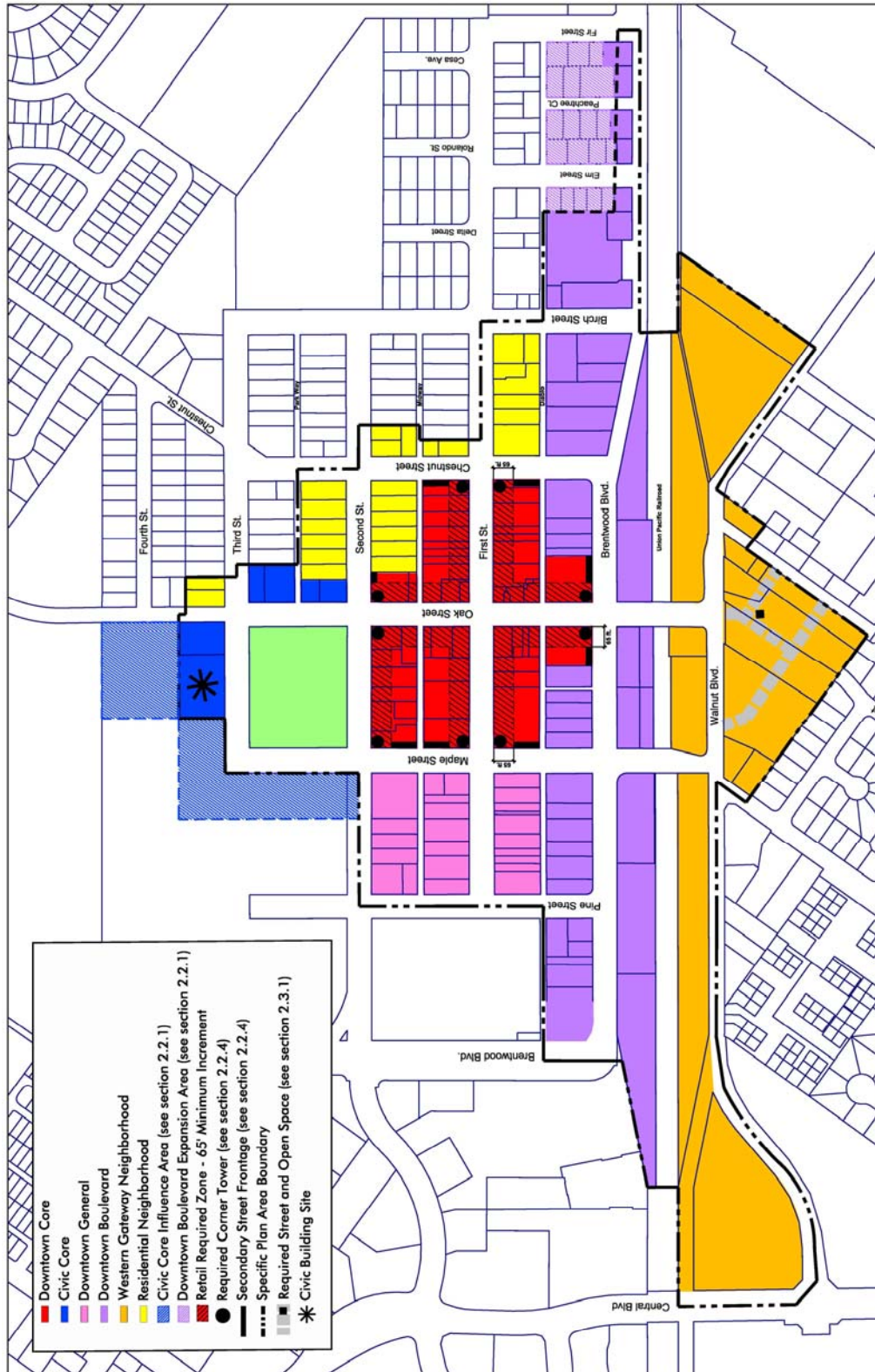
General Plan and Specific Plan Policy Consistency

Both the General Plan and the Specific Plan seek to promote mixed land uses that are both pedestrian friendly and economically self-supportable (General Plan: Goal 1, Policy 1.2, and Policy 1.3; Specific Plan: Development Strategies 2 and 3). The General Plan also seeks to “promote compatibility between and within new and existing neighborhoods” (Policy 2.2); likewise, the Specific Plan envisions new residential development that “will transition and complement existing housing” (Development Strategy 2).

The General Plan encourages a variety of business enterprises that contribute to Brentwood’s employment and economic well-being (General Plan: Goal 3). The Specific Plan also proposes to “catalyze new development in the Downtown core and increase its viability as an economic engine by enabling the development of a large-scale retail or entertainment anchor” (Development Strategy 1), and would “direct new commercial into the Downtown core to create a ‘critical mass’ of retail, restaurant, service, and entertainment uses in a compact, walkable, and unique setting” (Development Strategy 2).

Additionally, the General Plan includes a specific policy promoting the maintenance of the Downtown area as the dominant commercial, civic, and cultural center of the Brentwood area. (General Plan: Policy 3.1). The Specific Plan also seeks to “anchor downtown” as a commercial center (Development Strategy 2), and a civic and cultural center (Development Strategy 5). Existing retail structures would also be rehabilitated and redeveloped or converted to more viable uses under both the General Plan (Policy 3.3) and the Specific Plan (Development Strategy 2(c)).

**Figure 4.1-2
 Downtown District Zones**



Conclusions

Because the Downtown Specific Plan would include uses compatible with the existing land use designations and includes policies consistent with those of the General Plan, a *less-than-significant* impact is expected to occur.

Mitigation Measure(s)

None required.

4.1-3 Consistency with existing zoning.

The Downtown Specific Plan includes a request for a Rezone of specific parcels within the Downtown Specific Plan Area in order to maintain consistency between the Specific Plan and Zoning designations (see Figure 3-5, “Proposed Zoning Designations” in this EIR). The Rezone includes extending the existing park within the Open Space zone east into the Public Facility Zone. The “End State Envisioned Town Pattern Scenario” within the Downtown Specific Plan indicates that new civic and cultural infill development would surround City Park, encroaching upon the zoning designation of Public Facility and Central Business. However, the proposed uses would not conflict with the established zoning of Public Facility, which seeks “to provide areas for public facilities such as government offices, community centers, schools and parks.” Nor would the proposed uses conflict with the zoning designation of Central Business, which “is intended to provide a pedestrian-oriented center for business, cultural, and recreational uses to serve the city and to promote, preserve, and protect the existing downtown business core of the city,” because the proposed uses would be considered recreational.

In addition, the Downtown Specific Plan proposes residential infill along Brentwood Boulevard in an Industrial/Commercial-zoned area. While the proposed use is inconsistent with the existing zoning designation, the proposed use is consistent with the proposed General Plan designation of Downtown, which allows residential development. In addition, the proposed use would be consistent with existing residential development to the west, and proposed residential development to the northwest and east. The Downtown Specific Plan also proposes a new entertainment anchor, proposed to be located on Second Street between Oak Street and Maple Street, as well as a new retail anchor, within the Central Business zone. These proposed uses would be compatible with existing zoning and consistent with typical urban downtowns.

Other uses proposed within the Downtown Specific Plan area, such as residential infill within Planned Development and Residential zones as well as office and commercial uses within the Central Business zone, would be consistent with existing zoning designations. Therefore, conflicts between land uses in the

northern region of the planning area and adjacent uses are not anticipated and a *less-than-significant* impact is expected to result.

Mitigation Measure(s)

None required.

Cumulative Impacts

4.1-4 Increases in the intensity of land uses in the region due to the proposed project and all other projects in the Brentwood area.

The proposed Downtown Specific Plan, along with all known projects in the City of Brentwood, would change the intensity of land uses in the City's Planning Area by contributing to development. However, the project is consistent with the General Plan designations and vision related to the "economic vitality" (Goal 3) of the downtown, and the proposed uses consist entirely of infill development and reuse of developed sites. Furthermore, the General Plan EIR has cumulatively considered this and other developments in the City and has anticipated for such growth. Given the land use controls and development standards presently in use within the City of Brentwood, cumulative land use impacts would be considered *less-than-significant*.

Mitigation Measure(s)

None required.

Endnotes

¹ City of Brentwood, *City of Brentwood General Plan*, May 2001.

² City of Brentwood, *City of Brentwood General Plan Update Draft EIR*, 2001

³ City of Brentwood, *City of Brentwood Zoning Ordinance*, 1987.